

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

Case No. 13-cv-14695
Hon. Matthew F. Leitman

v.

CARMEN D. PALMER,

Respondent.

**ORDER DENYING WITHOUT PREJUDICE PETITIONER'S
EMERGENCY MOTION FOR BOND PENDING RESOLUTION
OF HABEAS CLAIMS AND BASED ON ACTUAL INNOCENCE (ECF #158)**

Currently before the Court is Petitioner Omar Rashad Pouncy's Emergency Motion for Bond Pending Resolution of Habeas Claims and Based on Actual Innocence. (*See* ECF #158). The motion is **DENIED WITHOUT PREJUDICE**. The Court is unwilling to grant Pouncy bond at this time and in the current procedural posture of the case. The Court is in the process of reviewing Pouncy's claim of actual innocence – post-hearing briefing on that issue is in process – and the Court will not release Pouncy on bond during that review. If the Court resolves Pouncy's actual innocence claim in his favor or otherwise rules in his favor of the merits of any claim in his habeas petition, Pouncy may renew his motion for bond at that time.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: September 7, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 7, 2018, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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